

HOUSE BILL 670

K1

0lr2738

By: **Delegate Feldman**

Introduced and read first time: February 4, 2010

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 17, 2010

CHAPTER _____

1 AN ACT concerning

2 **Joint Committee on Workers' Compensation Benefit and Insurance**
3 **Oversight – Membership**

4 FOR the purpose of increasing the membership of the Joint Committee on Workers'
5 Compensation Benefit and Insurance Oversight to include a certain member;
6 and generally relating to membership of the Joint Committee on Workers'
7 Compensation Benefit and Insurance Oversight.

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 2–10A–03
11 Annotated Code of Maryland
12 (2009 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – State Government**

16 2–10A–03.

17 (a) There is a Joint Committee on Workers' Compensation Benefit and
18 Insurance Oversight.

19 (b) (1) The Committee consists of ~~[15]~~ **16** members.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) Of the [15] **16** members:

2 (i) 1. 2 shall be members of the Senate appointed by the
3 President of the Senate;

4 2. 2 shall be Delegates appointed by the Speaker of the
5 House of Delegates; and

6 (ii) [11]**12** shall be appointed jointly by the President and the
7 Speaker as follows:

8 1. 1 representative of the business community;

9 2. 1 representative of the Maryland labor organizations;

10 3. 1 representative of the Maryland building and
11 construction labor organizations;

12 4. **1 REPRESENTATIVE OF A SELF-INSURED LOCAL**
13 **GOVERNMENT ENTITY;**

14 [4.] 5. 2 members of the public;

15 [5.] 6. 1 member of the insurance industry;

16 [6.] 7. 1 member of the Medical and Chirurgical
17 Faculty of Maryland;

18 [7.] 8. 1 member of a workers' compensation rating
19 organization;

20 [8.] 9. 2 members of the Bar of the Court of Appeals of
21 Maryland, 1 of whom represents plaintiffs in workers' compensation cases and 1 of
22 whom represents defendants in workers' compensation cases; and

23 [9.] 10. 1 member who is certified by the Workers'
24 Compensation Commission as a Maryland rehabilitation service provider.

25 (c) The members of the Committee serve at the pleasure of the presiding
26 officer who appointed them.

27 (d) The President and the Speaker shall jointly appoint a Senator and a
28 Delegate each to serve as cochair.

29 (e) (1) (i) The Committee shall examine and evaluate:

1 1. the condition of the workers' compensation benefit
2 and insurance structure in the State; and

3 2. the effect of Chapters 590 and 591 of the Laws of
4 Maryland of 1987 on that structure.

5 (ii) This examination shall include the regulations adopted by
6 the Workers' Compensation Commission that are to be used by physicians to measure
7 impairment when preparing medical evaluations of claimants.

8 (2) The Committee shall review the adequacy and appropriateness of
9 all benefits specified in §§ 9-626 and 9-627(a) and (b) of the Labor and Employment
10 Article and make recommendations for necessary changes prior to the 1992 Regular
11 Session of the General Assembly.

12 (3) The Committee shall direct the Insurance Commissioner to
13 prepare a feasibility study on alternative methods to determine the provision for claim
14 payment and to submit the study to the Governor and the Legislative Policy
15 Committee on or before January 1, 1991.

16 (f) The Insurance Commissioner and the Workers' Compensation
17 Commission shall:

18 (1) cooperate fully with the Committee;

19 (2) keep the Committee fully informed as to the condition of workers'
20 compensation benefits and workers' compensation insurance in the State and the
21 effect of Chapters 590 and 591 of the Laws of Maryland of 1987 on those benefits and
22 that insurance; and

23 (3) submit an annual report, subject to § 2-1246 of this title, to the
24 Committee on or before October 1 of each year that incorporates the information
25 described in paragraph (2) of this subsection.

26 (g) The Committee shall report to the Governor and the Legislative Policy
27 Committee on December 31 of each year.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2010.